

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

AUDRA L. HOGAN,

Plaintiff,

v.

**NANCY A. BERRYHILL,
Acting Commissioner of the Social
Security Administration,**

Defendant.

Case No. 4:16-CV-00863

ORDER

Before the Court is Plaintiff's Attorney's Motion for an Award of Attorney Fees under 42 U.S.C. § 406(b). (Doc. 14). Plaintiff's Attorney seeks \$20,979.15. Section 206(b)(1)(A) of the Social Security Act, 42 U.S.C. § 406(b)(1)(A), provides that a court may award a "reasonable" attorney fee not in excess of 25% of past-due benefits under Title II of the Social Security Act for an attorney's representation of a plaintiff for Title II benefits before that court. In *Gisbrecht v. Barnhart*, 535 U.S. 789, 122 S. Ct. 1817 (2002), the Supreme Court set forth the method for calculating a "reasonable" 42 U.S.C. § 406(b) fee. Plaintiff's Attorney asserts and demonstrates that their request is consistent with *Gisbrecht*.

Plaintiff received an award of \$62,937.45, which represents her share of the past due benefits after withholding \$20,979.15 for attorney fees. Plaintiff's Attorney's request is thus consistent with *Gisbrecht*. The Government does not oppose this request. Therefore, Plaintiff's Attorney's Motion is **GRANTED**, and it is **ORDERED** that Plaintiff's Attorney is awarded \$20,979.15.

IT IS SO ORDERED.

Dated: March 22, 2021

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge